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Otto Trucking LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Waymo LLC,

Plaintiff,

v.

Uber Technologies, Inc.; Ottomotto LLC; Otto
Trucking LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF SHANE BRUN IN
SUPPORT DEFENDANT OTTO
TRUCKING'S RESPONSE TO WAYMO'S
SUPPLEMENTAL OPPOSITION TO
OTTO TRUCKING'S MOTION FOR A
SEPARATE TRIAL [DKT. 2056]**

Courtroom: 8 (19th Floor)
Judge: Hon. William Alsup

Filed/Lodged Concurrently with:
1. Response to Oppositions Motion for
Separate Trial

Trial: December 4, 2017

1 I, SHANE BRUN, declare:

2 1. I am a partner with the law firm Goodwin Procter LLP. I am a member in good
3 standing of the Bar of the State of California and the Bar of this Court. I make this declaration
4 based on personal knowledge and, if called as a witness, I could and would testify competently to
5 the matters set forth herein. I make this declaration in support of **Defendant Otto Trucking's**
6 **Response to Waymo's Supplemental Opposition to Otto Trucking's Motion for a Separate**
7 **Trial.**

8 2. Attached hereto as Exhibit 1 is a true and correct copy of the document titled
9 Defendants' Uber and Ottomotto's Opposition to Motion to Compel Source Code [Dkt. 1990].

10 3. Attached hereto as Exhibit 2 is a true and correct copy of a document titled
11 Declaration of Don Burnette ISO Uber's Sur-Reply to Waymo's Motion to Compel Source Code
12 [Dkt. 2001-5].

13 4. Attached hereto as Exhibit 3 is a true and correct copy of a document bearing Bates
14 numbers UBER00214549.

15 5. Attached hereto as Exhibit 4 is a true and correct copy of the document titled Otto
16 Motion for Summary Judgment [Dkt. 1423].

17 6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the deposition
18 of Don Burnette, dated October 13, 2017.

19 7. Attached hereto as Exhibit 6 is a true and correct copy of the document titled Otto
20 Trucking's Motion for Summary Judgment [Dkt. 1636].

21 I declare under penalty of perjury under the laws of the United States that the foregoing is
22 true and correct. Executed this 25th day of October, 2017 in San Francisco, California.

23
24 /s/ Shane Brun
25 SHANE BRUN
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